DOCUMENT RESUME

ED 154 832 IR 005 984

AUTHOR Duncan, Joseph W.; Wallman, Katherine K.
TITLE The Genesis and Justification of Forms Clearance Procedures.
PUB DATE 29 Mar 78
NOTE 14p.; Paper presented at the Annual Meeting of the American Educational Research Asscciation (Toronto, Canada, March 29, 1978)

EDRS PRICE MF-$0.83 HC-$1.67 Plus Postage.
DESCRIPTORS *Educational Research; Federal Government; *Government Role; Information Needs; *Information Processing; *Interagency Coordination; *Policy Formation; *Quality Control; Research Coordinating Units; Statistical Studies
IDENTIFIERS Central Reports Clearance Authority; Commission on Federal Paperwork

ABSTRACT

The central reports clearance authority of the Federal Government is a legislatively sanctioned mechanism for applying constraints on the conduct of statistical and other data gathering activities by Federal Departments and agencies and other research parties funded by Federal government contracts. General recommendations for improving the overall clearance procedure include (1) redesign of the clearance process to eliminate overlap and duplication; (2) development and implementation of more effective methodologies for determining information requirements and for weighing the cost to the public against values expected from use of the data; (3) decentralization of the routine clearance workload, with a concentrated focus on policy development, oversight, and politically sensitive issues. There must be increased cooperation between the central statistical agency and the educational research community to ensure that the requirements for data reduction and better management of information resources lead to the enhancement of educational research and selective retention of well-designed, useful studies. (Author/CHV)

****
* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *
****

ED154832

U.S. DEPARTMENT OF HEALTH,
EDUCATION & WELFARE
NATIONAL INSTITUTE OF
EDUCATION

THIS DOCUMENT HAS BEEN REPRODUCED EXACTLY AS RECEIVED FROM THE PERSON OR ORGANIZATION ORIGINATING IT. POINTS OF VIEW OR OPINIONS STATED DO NOT NECESSARILY REPRESENT OFFICIAL NATIONAL INSTITUTE OF EDUCATION POSITION OR POLICY

The Genesis and Justification of Forms Clearance Procedures

by

Joseph W. Duncan

and

Katherine K. Wallman

"PERMISSION TO REPRODUCE THIS MATERIAL HAS BEEN GRANTED BY

Joseph W. Duncan

TO THE EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC) AND USERS OF THE ERIC SYSTEM."

IR005984

THE GENESIS AND JUSTIFICATION OF FORMS CLEARANCE PROCEDURES

Duncan and Wallman

The central reports clearance authority of the Federal Government is a legislatively sanctioned mechanism for applying constraints on the conduct of statistical and other information-gathering activities. By and large the intent of the review and clearance legislation is not to regulate the creativity of research or information-gathering activities, but to eliminate unnecessary duplication and to increase the utility of the information collected from the public.

This paper places the central statistical review in perspective in relation to the entire process of research and development, reviews recommendations which have been made for improvements in the review and clearance processes, and cites steps which have recently been taken to revise and redirect the central review procedures. The paper concludes by recommending increased cooperation between the central statistical agency and the education research community to ensure that the requirements for data reduction and better management of information resources lead to the enhancement and retention of good, useful educational research at the expense of poorly designed, poorly directed, and poorly utilized statistical and research activities.

THE GENESIS AND JUSTIFICATION OF FORMS CLEARANCE PROCEDURES

By
Joseph W. Duncan and Katherine K. Wallman
Office of Federal Statistical Policy and Standards
U.S. Department of Commerce

Presented at the
Symposium on
"Forms Clearance Procedures: Who Needs an Ombudsman?"
American Education Research Association
Toronto, Canada
March 29, 1978

Introduction

The central reports clearance authority of the Federal Government is a legislatively sanctioned mechanism for applying constraints on the conduct of statistical and other information-gathering activities. Education research conducted under contract with the Federal Government is subject to the same laws, rules, and regulations for the collection of data as any research or investigation involving the collection of information from multiple respondents conducted by Federal agencies. The legislative authority for the review functions is contained in the 1942 Federal Reports Act, as amended in 1973, and the Budget and Accounting Procedures Act of 1950. The central review authority is currently shared among the Office of Management and Budget (OMB), the General Accounting Office (GAO), and the Office of Federal Statistical Policy and Standards (OFSPS) in the U.S. Department of Commerce.

Functions of the Central Review Process

By and large the intent of the review and clearance legislation is not to regulate the creativity of research or information-

---

* Substantial input to this paper was provided by Lawrence D. Haber who helped develop a related paper entitled "The Survey Review Process in Social Research" which will appear in Proceedings from the February 1978 Conference on Solutions to Ethical and Legal Dilemmas in Social Research, held in Washington, D.C., under the sponsorship of the National Science Foundation.

gathering activities. The primary intent of the Federal Reports Act is to reduce nonessential paperwork and to minimize the burden of Federal data collection on the public through (1) the elimination of unnecessary duplication and (2) increasing the utility of the information collected from the public. The intent of Section 103 of the Budget and Accounting Procedures Act, which authorizes the President to "develop programs and to issue regulations and orders for the approved gathering, compiling, analyzing, publishing, and disseminating of statistical information for any purpose by the various agencies in the executive branch of the Government," is to improve the coordination and quality of Federal statistics.[1]

Before examining the functions and procedures of the review process in greater detail, it is useful to place the central statistical review in proper perspective in relation to the entire process of statistical and research development. The review of the statistical or research activity starts with the responsibility of the project officer administering or conducting a particular project.

A variety of standards and guidelines for statistics are available to provide uniform practices for the conduct of Federal surveys and for publishing of Federal statistics. These statistical Circulars and Exhibits were initially issued by OMB, when it had responsibility for Section 103. These guidelines will soon be reissued in the Statistical Policy Handbook of the Office of Federal Statistical Policy and Standards.[2] After the project officer has established that the inquiry is necessary, that the data would have practical utility, and that the study design is adequate and appropriate, the project may be reviewed at a variety of levels within a Bureau, the agency, or at the Department level.

In recent years, in response to concerns raised by organizations and individuals who are the ultimate recipients of Federal forms, as well as by the sponsoring agencies themselves, Federal agencies have inaugurated internal review processes to precede submission of reports for clearance to the central review bodies. In some cases, including education, the agencies have established internal clearance processes modeled essentially after the central review procedures. Such internal control mechanisms, which have been endorsed and supported by the central reports clearance officer, have generally resulted in the submission of more complete and acceptable review packages.

Data collection requests sent to OMB for clearance routinely carry the certification by the agency or Department that the forms or documents submitted for approval are necessary for the proper performance of the agency's function, the proposed data collection represents the minimum burden on respondents consistent with the need, the information collected is not available from any other source, there are no hidden identifiers, and the request is consistent with applicable policy directives and the requirements of the Freedom of Information Act and the Privacy Act.

If the certifications provided by the agencies following their initial reviews were, in all cases, accurate reflections of the facts, the central review process would be much simplified. In the vast majority of cases, the request does, in fact, conform to the statement of the certification. In a significant number of cases, however, there is substantial room for a difference in judgment on the extent to which these requirements are met. Over and above this concern, however, there are also functions of a central statistical nature which cannot be met in agency reviews, but which require oversight, coordination, and policy review by an outside agency with statistical policy perspectives beyond those of the individual agencies or Departments.

Admittedly, there is a certain amount of ambivalence about the central review and clearance process among the education research community. Social scientists have sometimes tended to regard the clearance review as undue interference in the conduct and design of a survey. (It should be noted, of course, that the clearance process is not applicablle to grant-funded research where the investigator has great freedom in the pursuit of new knowledge -- unless, in the data collection, representations are made that the data is being collected on behalf of the Federal Government.)

The Commission on Federal Paperwork, which recently completed its two-year effort to study and investigate Federal information gathering, processing, and dissemination activities, also points out that "the clearance process within the agencies and then to the central clearance office is often slow and adversarial and does not differentiate the unimportant from the important."[3] Many of the same criticisms are also expressed by Government administrators who are frustrated with delays and project changes required by the review process.

On the other hand, the recent reports of the Commission on Federal Paperwork leave little doubt as to the importance of the central review process in the management and control of the Federal information and statistics system. Education agencies and institutions rely on the clearance review as one of the few opportunities available to reduce excessive reporting burden and to assure that the proposed studies meet reasonable standards of utility, quality, and content applicability. Numerous reviews by committees, composed of social scientists, statisticians, and other members of the public data-providing communities, have also attested to the need for a strong central coordinating mechanism. Perhaps most important, however, is the more positive function which is effected through the reports clearance process -- the opportunity to capitalize on the activities of individual agencies by ensuring that they are consistent, where appropriate, with surveys and studies of other agencies and to modify or expand proposed studies, in some cases, to meet the needs of multiple users.

While it is apparent that there are flaws and inadequacies in the present mechanisms for review and clearance, there is little reasoned sentiment for dispensing with the review and clearance system altogether. It is a fairly safe assumption that, if the present system for clearance and review were to disappear tomorrow, a set of alternative structures would be developed to assure that Federal data collections continue to conform to reasonable statistical standards and guidelines, and that the results from individual studies and inquiries provide some cumulative impact on Federal informational requirements.

Paperwork Reduction

In the present climate of Presidential paperwork reduction programs, it may well be more appropriate for the education research community to regard the review and clearance process as an ally rather than an adversary. Although there are deficiencies in the existing system and there will always be instances in which individual judgments differ on the adequacy or utility of specific projects, the continuing demand for the reduction of excessive paperwork increases the pressure on the statistical and research community to assure that the projects in which they are involved do, in fact, meet the appropriate standards

of statistical and scientific competence; that they are, in fact, appropriately directed towards a significant programmatic need; and that they demonstrate practical utility in terms of the allocation of resources to use effectively the information collected.

It is also worth remembering within this context that statistical and research activities, although representing a relatively small proportion of the total time devoted by the public to responding to Federal information requests, represent approximately 25 percent of all reports clearance requests. To the extent that the statistical and research community increases its knowledge of program requirements and improves the methodology to reduce sample size requirements, the frequency with which respondents must be interviewed and the extensiveness of data required to meet programmatic needs, the review process becomes less an adversary process and more of a collaborative relationship.

The history of paperwork reduction, of course, long precedes the current emphasis. The climate for public participation in Government activities, however, suggests that excessive paperwork will continue to be a major element in the formulation of Federal policy for statistical and research activities.

Review and Clearance Process -- Problems and Recommendations

In a series of reports, the Commission on Federal Paperwork has identified a number of flaws and limitations in the present clearance system.[4/]

Among these deficiencies, the Commission points out that:[5/]

1. The clearance process focuses on symptoms of paperwork and not causal factors;

2. The clearance process is a piecemeal process which examines reporting forms rather than the larger paperwork and management systems of which the paperwork is a part;

3. Review generally occurs too late in the developmental process of a program to be effective in stopping unnecessary information requirements;

4. Coverage of informational requirements is incomplete, and the authority is split among three agencies;

5. The process is slow, adversarial, and does not differentiate important from unimportant data burdens and projects;

6. There is no detailed listing of all data requirements;

7. There is little in the way of compliance sanctions on the data collection agencies; and

8. The Federal Reports Act does not specify the management and control responsibilities of the data collecting agencies.

The Commission points out that the clearance process is in itself but a step in the life cycle of information and that it takes place too late in that cycle to be effective. Effective information resources management must start at the front end of the process as an integral part of the planning stage and continue throughout stragetic points along the line to final implementation. The Commission proposes three general steps:[6]

1. Redesigning the clearance process to eliminate overlap and duplication among agency requests through strengthened guidelines and standards;

2. Developing and implementing more effective methodologies for determining information requirements and for weighing the cost to the public of data collection against the values expected from the use of the data; and

3. Decentralization of the routine clearance workload to the Federal agencies with prescribed policy guidelines and standards and a concentrated focus on policy development, oversight, and politically sensitive issues in statistical activities at the central review level.

This last recommendation has recently been implemented by the Office of Management and Budget. Included in the February 17, 1978 directive on the President's Reporting Burden Reduction Program for Fiscal Year 1978 are guidelines which give the Federal Departments and agencies increased responsibility and administrative flexibility to reduce

reporting burden on the public. Departments and agencies will assume responsibility for substantive review of all requests for clearance of repetitive public use reports which:

1. Have a total annual reporting burden of 20,000 hours or less, and

2. Impose an average burden of no more than one-half hour per response, and

3. Meet all the requirements of the "Guidelines for Controlling the Number of Reports" and the "Guidelines for Reducing Reporting Burden" which are included in the directive.

In exercising this responsibility, each Department and agency is to have a clearance process which is operated outside the area of any program responsibility. The Departmental and agency clearance processes must include:

1. Review of the need for the report;

2. Review of the practical utility to the Federal Government of the information collected;

3. Reexamination of the use of samples, cutoffs, and other statistical methods which can reduce reporting burden;

4. Reexamination of the need for the frequency of the data collection;

5. Consideration of the possible use of "short" forms for individuals or small organizations when an inquiry is addressed to a universe or a sample containing large organizations, small organizations, and/or individuals;

6. Reasonable assurance that each question asked is germane to the purpose for which the inquiry is being conducted;

7. Evidence of special efforts to reexamine the use of information collected by large burden programs;

8. Review and documentation of estimates of total burden and of average respondent burden to make sure that estimates are reasonable; and

9. Provision for consultation with other interested agencies, with prospective respondents, and with the public, as appropriate.

Each request for clearance reviewed by a Department or agency under these procedures will be forwarded to the Office of Management and Budget in the normal way specified by the instructions for the completion of Standard Form 83. The Office of Management and Budget will enter the request into its Clearance Office Information System and give notice of its receipt in the Federal Register. Ten (10) working days after the appearance of the Federal Register notice, the Office of Management and Budget will clear the request unless:

1. There has been substantial public complaint about the proposed data collection or

2. The Office of Federal Statistical Policy and Standards of the U.S. Department of Commerce notifies the Office of Management and Budget of a significant statistical deficiency in the proposal or

3. Unforeseen circumstances have intervened.

The Office of Management and Budget will assign all requests for clearance for statistical surveys to the Office of Federal Statistical Policy and Standards, U.S. Department of Commerce, for substantive review. The Office of Management and Budget will continue to make a substantive review of:

1. All proposed single-time reports (except statistical),

2. All proposed recordkeeping requirements, and

3. All other reports which do not meet the specifications of the Guidelines.[7/]

Thus, it may be anticipated that a significant portion of the seemingly duplicative review activities by the Federal agencies and the central clearance offices will be eliminated, and that the central review process will concentrate on reviewing those studies which impose substantial burden, on coordinating activities among agencies, and on implementing other reforms in the clearance process.

In addition to the basic recommendations outlined above, the Commission's report includes an extensive set of recommendations for improvement in the central review and clearance process. Basically, these are intended to shift the focus of review from the symptoms (as evidenced by excessive and unnecessary paperwork) to the causes (exemplified as "bad organization, poor management, and poorly designed information requirements."[8]) The recommendations include actions to:

1. End exemptions from the Federal Reports Act;

2. End split jurisdiction between OMB and GAO;

3. Eliminate duplication through a Federal Information Locator System and assignment of coordination or collection responsibility to a single agency in specific programmatic areas;

4. Encourage use of the best available methodologies in information resources management;

5. Provide consultation services for statistical and research design and development;

6. Place increased responsibility for information management on the agencies (with improved statistical guidelines and standards) and the continuation of central statistical review of general-purpose surveys and forms;

7. Expand the examination of the practical utility of selected reports through post-audit assessment of the uses made of the data collected, with increased resources for these audit functions;

8. Develop administrative and information standards to reduce paperwork;

9. Improve guidelines and standards for agencies to follow in developing and designing programs and information requirements; and

10. Improve the methodology for measuring costs to the public and the benefits to Federal programs of the data requirements.

These recommendations and the overall scope of the findings of the Commission clearly indicate the need for an expanded, but redirected, scope to the review and clearance activity. This review would focus on the planning and development stages of projects and programs for data collection to a greater extent than has been possible previously; it would extend into the assessment of the practical utility of the data collected through post-audits of the application of the data to the operating and administrative problems of Federal programs.

These recommendations and findings clearly indicate an intent both to increase the responsibilities of the agencies for assuring the compliance of their data collection activities to the guidelines and standards of the Federal central review and clearance system and to provide greater oversight of the planning process and the utilization of the data collected from the public. They also clearly indicate a need for further development of guidelines and standards for statistical and research activity and for the expansion of resources to implement both the early planning, coordination, and development stages of the review process and the assessment of data utilization through the post-audit process.

Under these conditions, it would seem that the central statistical agency and the education research community (as well as the social science research community in general) would be more,rather than less, tied together. We must find better ways -- an "improved methodology" so to speak -- for increasing the cooperative and reducing the adversary nature of the relationship.

In terms of the general theme for this session, it is appropriate to recommend a new perspective on the relationship between the survey researchers and the clearance authorities. Together we must ensure that the requirements for data reduction and better management of information resources lead to the enhancement and retention of good, useful educational research at the expense of poorly designed, poorly directed, and poorly utilized statistical and research activities. The review process itself can be an effective control mechanism to assure that high standards are maintained in all social survey research.

REFERENCES

1/ For a more detailed discussion of the history of the statistical planning and coordination function, see Chapter 5, Duncan, Joseph W. and Shelton, William C., Revolution in Federal Statistics, 1926-1976, U.S. Government Printing Office, Washington, D.C., 1978.

2/ See Bell, Ruth, "The Establishment of the Office of Federal Statistical Policy and Standards," Statistical Reporter, October 1977, Number 78-1, pp. 1-5, for a discussion of the delegation of statistical policy functions from the Office of Management and Budget to the U.S. Department of Commerce.

3/ Commission on Federal Paperwork, "Information Resources Management," U.S. Government Printing Office, Washington, D.C., September 9, 1977, p. 20. Further references to the Commission reports will cite CFP, publication title, and page numbers (where relevant).

4/ CFP, "The Reports Clearance Process," "Statistics," "History of Paperwork Reform Efforts," and "Information Resources Management."

5/ CFP, "Information Resources Management," pp. 20-21.

6/ Op. cit., pp. 21-22.

7/ See McIntyre, James T., "President's Reporting Burden Reduction Program, Fiscal Year 1978," Executive Office of the President, Office of Management and Budget, February 17, 1978, for further detail.

8/ CFP, "The Reports Clearance Process," pp. 45-59.